- (b) The Office's final decision shall contain a statement of the basis therefor. The Office may satisfy this requirement where it adopts the recommended decision of the presiding ofupon finding that the recficer ommended decision satisfies the requirements of §509.38 of this chapter.
- (c) The Secretary shall serve upon the petitioner and the representative of the Office of Enforcement a copy of the Office's final decision and the related recommended decision.

 $[54\ FR\ 49444,\ Nov.\ 30,\ 1989,\ as\ amended\ at\ 56\ FR\ 38306,\ Aug.\ 12,\ 1991;\ 59\ FR\ 53570,\ Oct.\ 25,$ 19947

§ 508.14 Miscellaneous.

The provisions of §§ 509.10, 509.11, and 509.12 of this chapter shall apply to proceedings under this part.

[54 FR 49444, Nov. 30, 1989, as amended at 56 FR 38306, Aug. 12, 1991]

PART 509—RULES OF PRACTICE AND PROCEDURE IN ADJUDICA-TORY PROCEEDINGS

Subpart A—Uniform Rules of Practice and **Procedure**

Sec.

509.1 Scope.

509.2 Rules of construction.

509.3 Definitions.

509.4 Authority of Director.

509.5 Authority of the administrative law judge.

509.6 Appearance and practice in adjudicatory proceedings.

509.7 Good faith certification.

509.8 Conflicts of interest.

509.9 Ex parte communications.

509.10 Filing of papers.

509.11 Service of papers

509.12 Construction of time limits.

509.13 Change of time limits.

509.14 Witness fees and expenses.

509.15 Opportunity for informal settlement.

509.16 Office's right to conduct examination.

509.17 Collateral attacks on adjudicatory proceeding.

509.18 Commencement of proceeding and contents of notice.

509.19 Answer.

509.20 Amended pleadings.

509.21 Failure to appear.

509.22 Consolidation and severance of actions

509.23 Motions.

509.24 Scope of document discovery.

509.25 Request for document discovery from parties.

509.26 Document subpoenas to nonparties.

509.27 Deposition of witness unavailable for hearing.

509.28 Interlocutory review.

509.29 Summary disposition.

Partial summary disposition.

509.31 Scheduling and prehearing ferences.

509.32 Prehearing submissions. 509.33

Public hearings. 509.34 Hearing subpoenas.

Conduct of hearings. 509.35

509.36 Evidence.

509.37 Post-hearing filings.

509.38 Recommended decision and filing of record.

509.39 Exceptions to recommended decision.

509.40 Review by the Director.

509.41 Stays pending judicial review.

Subpart B—Local Rules

509.100 Scope.

509.101 Appointment of Office of Financial Institution Adjudication.

509.102 Discovery.

Civil money penalties. 509.103

509.104 Additional procedures.

Subpart C—Special Rules

509.200 Scope.

509.201 Definitions.

Commencement of proceedings and 509.202 contents of notice.

509.203 Answer, consequences of failure to answer, and consent.

509.204 Hearing Procedure.

Subpart D—Exemptions under Section 19(e) of the FDIA

509.300 Scope.

509.301 Hearing procedures.

AUTHORITY: 5 U.S.C. 504, 554-557; 12 U.S.C. 1464, 1467, 1467a, 1468, 1817(j), 1818, 1820(k), 1829(e), 3349, 4717; 15 U.S.C. 78(1), 780-5, 78u-2; 28 U.S.C. 2461 note; 31 U.S.C. 5321; 42 U.S.C.

Source: 56 FR 38306, Aug. 12, 1991, unless otherwise noted.

Subpart A—Uniform Rules of **Practice and Procedure**

§ 509.1 Scope.

This subpart prescribes Uniform Rules of practice and procedure applicable to adjudicatory proceedings as to which hearings on the record are provided for by the following statutory provisions: